Arb Application No. 13 of 2004

Hon. V.S.Sirpurkar, C.J.

Heard Mr. S.K. Jain, Advocate, learned counsel for the applicant and Mr. K.P. Upadhayaya, learned counsel for the State.

The present application is an application under section 11 (5) and (6) of the Arbitration and Conciliation Act, 1996 for appointment of the Arbitrator.

Mr. S.K. Jain, learned counsel for the applicant, points out that there is an arbitration clause vide clause no. 3(2). I am satisfied that there exists a dispute, for which notice for appointment of Arbitrator has already been sent to the other side. However, inspite of service, the other side has not named any Arbitrator. In that view, as per my power under section 11 (5) of the Arbitration and Conciliation Act, 1996, I hereby appoint Mr. P.K. Sharma, Retd. Chief Engineer, P.W.D. U.P., R/O 170 Phase II Vasant Vihar, Dehradun as sole Arbitrator in the matter. The arbitrator shall complete the arbitration proceedings within a period of six months.

The application is disposed of accordingly.

(VSS, C.J.)

04.12.2004